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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,573	12/22/2003	Gerard H. ROUSSEAU	117422	1572

27074 7590 06/23/2004

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EXAMINER
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NGUYEN, XUAN LAN T

ART UNIT	PAPER NUMBER
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3683

DATE MAILED: 06/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/707,573

Applicant(s)

ROUSSEAU, GERARD H.

Examiner

Lan Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 12/20/03, 2/9/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g).
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference character(s) mentioned in the description: "150,152".
3. Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3 and 5-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Giard.

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Re: claim 1, Giard shows in figure 13, a metering blade suspension system, as in the present invention, comprising: a metering blade assembly 5; and at least one leaf spring 4a, 4b connected to the assembly.

Re: claim 2, Giard shows the leaf spring 4a, 4b as a support arm for the blade assembly.

Re: claim 3, Giard shows in the Abstract that the leaf spring comprises an electrical conductive material.

Re: claim 5, Giard shows the at least one leaf spring comprises a pair of leaf springs 4a, 4b.

Re: claim 6, Giard shows each one of the pair of leaf springs is disposed at opposite ends of the assembly in figure 13. Note that the phrase "opposite ends" does not have any reference to the specific locations of the ends.

Re: claim 7, Giard shows in figure 13, the leaf spring controls at least an angle of the metering blade assembly 5.

Re: claim 8, Giard shows the metering blade assembly 5 to be pivoting on the at least one leaf spring.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4 and 9-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Giard in view of Park.

Re: claim 4, Giard's metering blade assembly, as rejected in claim 1, is silent of the material of the leaf spring. Park teaches that a bracket 18 is made of metal in order to be electrically conductive. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used metal as a material for Giard's leaf spring as taught by Park in order for the leaf spring to be electrically conductive; since metal is an excellent material to be used as a spring and as an electrically conductive material.

Re: claims 9 and 10, Giard shows in the Abstract that the metering blade is constructed of an electrically conductive material in order to remove static electricity. Giard does not specifically disclose an electrical connection and a grounding path as claimed. Park teaches in figure 4 an electrical connection and a grounding path for bracket 18 wherein bracket 18 supports metering blade 20. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided an electrical connection and a grounding path for Giard's metering blade assembly as taught by Park in order to remove the static electricity to avoid having ghost images during the printing process.

Re: claims 11-13, Giard's metering blade, as rejected above, is not shown in a drum maintenance unit and a removable cassette for an imaging apparatus. Park teaches the drum maintenance unit and a removable cassette for an imaging apparatus wherein a metering blade assembly such as Giard's is used in figure 4. It would have

been obvious to one of ordinary skill in the art at the time the invention was made to have used Giard's metering blade assembly in a drum maintenance unit and a removable cassette for an imaging apparatus as taught by Park in order to improve the evenness of the deposition of the ink in a drum maintenance unit and a removable cassette for an imaging apparatus which in turn would produce higher quality printing product.

Re: claims 14-18, Giard shows a method of supporting a metering blade assembly, as in the present invention, comprising: connecting a pair of leaf springs 4a, 4b at opposite ends of a metering blade assembly 5 wherein said blade is pivoting on said leaf spring while the leaf spring controls an angle of the metering blade as shown in figure 13. Giard's metering blade is not shown in a drum maintenance unit. Park teaches a drum maintenance unit in figure 4 wherein a metering blade assembly such as Giard's is used. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a method of supporting a metering blade such as Giard's method in a drum maintenance unit as taught by Park in order to improve the evenness of the deposition of the ink in a drum maintenance unit which in turn would produce higher quality printing product.

Re: claims 19 and 20, Giard shows in the Abstract that the method for supporting a metering blade comprising providing an electrically conductive material leaf spring in order to remove static electricity. Giard does not specifically disclose an electrical connection and a grounding path as claimed. Park teaches in figure 4 an electrical connection and a grounding path for bracket 18 wherein bracket 18 supports metering

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blade 20. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided an electrical connection and a grounding path for Giard's method of supporting a metering blade assembly as taught by Park in order to remove the static electricity to avoid having ghost images during the printing process.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hill shows a leaf spring 36 biasing a roller applicator. Takahashi shows a leaf spring 19 biasing a cleaning blade 17. Fromm shows a leaf spring 160 made of thin metal supporting a metering blade 162. Kim shows a seal 20 connected to a grounding path. Okuda shows a leaf spring 11a biasing a blade 11b in a drum maintenance unit.

9. Co-pending applications 10/740461, 10/707572, 10/707577 and 10/707574 have been reviewed. No double patenting is present at this time. Applicant is reminded to maintain a clear demarcation of the claimed inventions.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan Nguyen whose telephone number is 703-308-8347. The examiner can normally be reached on M-F, 8 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Lavinder can be reached on 703-308-3421. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Lan Nguyen* 6/15/04  
*Lan Nguyen*  
Patent Examiner  
A. U. 3683